IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:04cv418

REV. WILLIAM F. KING AND)
GABRIELLE KING,)
        Plaintiffs,)
)
vs.)
)   <u>MEMORANDUM AND ORDER</u>
)
UNITY OF CHARLOTTE AND)
ALAN BATTEN,)
        Defendants.)
_____)

On July 20, 2005 the magistrate judge issued a Memorandum and Recommendation in the present case recommending that the Defendants' Motion to Dismiss be granted. The parties were advised that objections were to be filed in writing within ten days after service of the magistrate judge's decision. The deadline for filing objections has passed without either party filing specific objections in this matter.[1] After a careful review of the Memorandum and Recommendation, the Court finds that the magistrate judge's proposed findings of fact are supported by the record and that the proposed conclusions of law are consistent with current case law. Accordingly, Court hereby accepts the magistrate judge's recommendation that Defendants' Motion to Dismiss be granted and the instant action be dismissed.

---

[1]Plaintiffs' letter informing the Court they "would like to make an appointment [to] discuss the wrongdoing by [their attorney] and errors of omission by the Court," sent nearly two months after the deadline, does not qualify as a timely or specific objection. See Howard v. Secretary of HHS, 932 F.2d 505, 509 (6th Cir.1991) ("A general objection...has the same effect as would a failure to object. The district court's attention is not focused on any specific issues for review, thereby making the initial reference to the magistrate useless."); Orpiano v. Johnson, 687 F.2d 44, 47 (4th Cir.1982) (De novo review is unnecessary "when a party makes general and conclusory objections that do not direct the court to a specific error in the magistrate's proposed findings and recommendations.").

THEREFORE, IT IS HEREBY ORDERED that Defendants' Motion for to Dismiss is

GRANTED.

Signed: March 3, 2006

Robert J. Conrad, Jr.
United States District Judge